

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 2, 7-23, 28-33, 37, 38, 40 and 41 pending in this application, with Claims 1, 22, 37, 38, 40 and 41 being independent. Claims 6, 27, 34-36, 39 and 42 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 1, 2, 7-15, 17-23, 28-33, 37, 38, 40 and 41 have been amended herein.

Claims 1, 2 and 6-21, 37 and 40 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Without conceding the propriety of this rejection, independent Claim 1 has been amended to no longer recite the last step as being a generating step. Similar changes have been made to the corresponding independent claims. Reconsideration and withdrawal of the § 101 rejection are requested.

Claims 1, 2, 9, 11-14, 16, 20-23, 30, 32, 37, 38, 40 and 41 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication No. 2003/0061369 (Aksu et al.) in view of U.S. Patent No. 7,039,117 (Chan). Claims 6, 15, 27 and 33 were rejected under § 103 as being unpatentable over Aksu et al. in view of Chan and further in view of U.S. Patent No. 6,424,370 (Courtney). Claims 7, 8, 10, 28, 29 and 31 were rejected

under § 103 as being unpatentable over Aksu et al. in view of Chan and further in view of U.S. Patent No. 6,877,134 (Fuller et al.). Claims 17 and 19 were rejected under 35 U.S.C. § 103 as being unpatentable over Aksu et al. in view of Chan and further in view of U.S. Patent No. 6,952,236 (Orr). Claim 18 was rejected under § 103 as being unpatentable over Aksu et al. in view of Chan and further in view of Orr and Fuller et al. Claims 34-36, 39 and 42 were rejected under § 103 as being unpatentable over Orr in view of Fuller et al. These rejections are respectfully traversed.

Support for the amendments to the claims can be found at least at page 17, lines 20-25 and page 32, lines 20-24.

Aksu et al. relates to composing a multi-media file including meta-data and media-data. The multi-media file comprises at least one part for the file level meta-data common to all media samples of the file and independent segments comprising media-data of a plurality of media samples and meta-data of the media samples. At paragraph [0006], Aksu et al. describes the MPEG-4 file format shown in Figure 1. MPEG-4 is an object-oriented file format, where the data is encapsulated into structures called “atoms”. The MPEG-4 format separates all the presentation level information (called the meta-data) from actual multi-media data samples (called the media-data), and puts it into one integral structure inside the file, which is called the “movie atom”. In paragraph [0071], Aksu et al. describes that a Sample Table Atom must be present in every media information atom of a track and in each MPEG-4 segment atom or the

MPEG-4 description atom. The sample table contains all the time and data indexing of the media samples in a track. Using such tables, it is possible to locate samples and time, determine their type (e.g., I-frame or not), and determine their size, container and offset into that container.

However, Applicant submits that Aksu et al. does not disclose or suggest at least storing, in an index file (associated with a media file), information for instructing a media player application where to find each of data samples in the media file, as recited in each of the independent claims. Rather, Aksu et al. teaches away from such a feature by teaching that one multi-media file contains all of the atoms.

In paragraph [0027], Aksu et al. describes that the “client C pauses and demultiplexes the file in order to obtain separate media tracks. These media tracks are then decompressed to provide reconstructed media tracks which can then be played out using output devices of a user interface UI.” At paragraph [0029], Aksu et al. describes that “[m]eta-data carried in a multimedia file can be classified as follows. Typically the scope of a portion of meta-data is the entire file. Such meta-data may include an identification of media codes in use or an indication of a correct display rectangle size. This kind of meta-data may be referred to as file-level meta-data (or presentation-level meta-data). Another portion of meta-data relates to specific media samples. Such meta-data may include an indication of sample type and size in bytes. Such meta-data may be referred to sample-specific meta-data.” Accordingly, Aksu et al. also does not disclose or suggest that the additional information of the media file is used in

reconstructing the index file upon corruption of the index file, as is also recited in the independent claims. Rather, Aksu et al. merely discloses decompressing media files and that meta-data can be classified as file-level meta-data or sample-specific meta-data.

Accordingly, Aksu et al. fails to disclose or suggest important features of the present invention recited in the independent claims.

Chan describes a method of concealing errors in texture partition of a video packet. Applicant submits that Chan merely discloses an example of a corrupted video packet, but does not disclose or suggest reconstructing the corrupted video packet. By teaching a method for concealing error, Chan teaches away from using additional information of a media file for reconstructing an index file upon corruption of the index file. At column 1, lines 17-24, Chan notes that “traditional error detection and correction systems may require a significant amount of overhead as well as significant amount of data processing when decoding coded video bit stream signals. ... In contrast to error correction, which attempts to reconstruct lost or corrupt data, error concealment aims to generate data that may be substituted for the lost or corrupt data.” Chan fails to remedy the deficiencies of Aksu et al. noted above with respect to the independent claims.

Moreover, whether taken individually or in combination, Aksu et al. and Chan fail to disclose or suggest that the additional information comprises at least a timestamp for one or more of the data samples, as is recited in independent Claims 22, 38 and 41. Courtney

describes at column 6, lines 21-28, that the “vision subsystem 13 records in the meta-information the size, shape, position, time-stamp, and image of each object in every video frame.” However, Courtney does not disclose or suggest that this time-stamp may be used for reconstructing an index file upon corruption of the index file, as recited in the independent claims. Thus, Courtney fails to remedy the deficiencies of the citations noted above with respect to the independent claims.

The remaining citations have been reviewed, but are not believed to be any more relevant than the citations noted above with respect to the independent claims.

Accordingly, independent Claims 1, 22, 37, 38, 40 and 41 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claims 1, 22, 37, 38, 40 and 41. Dependent Claims 2, 7-21, 23 and 28-33 are also allowable, in their own right, for defining features of the present invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Mark A. Williamson/

Mark A. Williamson
Attorney for Applicant
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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